

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

JOVONE ROMAN,

Plaintiff,

vs.

KILO KIJAKAZI, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CV 19-52-BLG-SPW

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on May 23, 2022. (Doc. 35). The Magistrate recommended that Plaintiff's motion for summary judgment be granted, and the Commissioner's decision be remanded for further administrative proceedings. (Doc. 35 at 2).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 35) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (Doc. 24) is GRANTED. This matter is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with Judge Cavan's findings and this opinion.

DATED this 5<sup>th</sup> day of July, 2022.

  
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SUSAN P. WATTERS  
United States District Judge